



COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Joseph H. Sklar et al.
Serial No.: 09/715,714
Filing Date: 11/17/2000
For: FIXATION SCREW, GRAFT LIGAMENT ANCHOR
ASSEMBLY AND METHOD FOR SECURING A
GRAFT LIGAMENT IN A BONE TUNNEL
Group Art Unit: 3738
Examiner: Bruce Edward Snow
Attorney's Docket No.: INNO-31

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED
WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL,
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FOR PATENTS, PO BOX 1450, ALEXANDRIA, VA 22313-1450, ON:

September 21, 2004

(DATE OF DEPOSIT)

James A. Sheridan

(NAME OF ATTORNEY)

James A. Sheridan 9/21/04

(SIGNATURE)

September 21, 2004

(DATE OF SIGNATURE)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUBMISSION OF DEFICIENCY PAYMENT UNDER 37 CFR 1.28(c)

Applicants request under 37 CFR 1.28(c) that an error
status regarding Small Entity status in payment of the PETITION
FOR AN AUTOMATIC EXTENSION OF TIME TO RESPOND filed on August 11,
2004 be excused.

A check in the amount of \$210.00 is enclosed to cover the
deficiency owed resulting from the previous erroneous payment of
small entity fees.

INNO-31

As required under 37 CFR 1.28(c)(1) and (c)(2), the deficiency payment is itemized as follows:

(a) a two-month extension of time fee was erroneously paid as a small entity, and the current fee amount for a non-small entity is \$420.00;

(b) the fee was paid on August 11, 2004;

(c) the deficiency amount is \$210.00; and

(d) the total deficiency payment owed is \$210.00.

Applicants assert that status as a Small Entity was mistakenly established in good faith, and the fee identified-above was paid in good faith as a Small Entity, and it was recently discovered that such status as a Small Entity was established in error.

In the event that any additional fees may be required in this matter, please charge the same to Deposit Account No. 16-0221.

Respectfully submitted,

James A. Sheridan 9/21/04
James A. Sheridan

Registration No. 43,114

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